

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : 14 Cr. 68 (KBF)  
- against - :  
ROSS ULBRICHT, :  
Defendant. : **DECLARATION OF  
JOSHUA L. DRATEL, ESQ.  
IN SUPPORT OF DEFENDANT  
ROSS ULBRICHT'S  
PRE-TRIAL MOTIONS**  
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Joshua L. Dratel, Esq., pursuant to 28 U.S.C. §1746, hereby affirms under penalty of perjury:

1. I am an attorney, and I represent defendant Ross Ulbricht in the above-captioned case.

I make this Declaration in support of Mr. Ulbricht's pretrial motions requesting suppression of certain evidence, an order for production of discovery, for a Bill of Particulars, and to strike irrelevant and prejudicial surplusage from the Indictment.

2. The bases for these motions are set forth in detail in the accompanying Memorandum of Law. Also, it is respectfully requested that the facts set forth within the Memorandum of Law be incorporated by reference in this Declaration.

3. Attached<sup>1</sup> as Exhibits to this Declaration, and relevant to Mr. Ulbricht's motion, are the following:

(a) Search warrant application, dated September 9, 2013, and warrant for a server maintained on behalf of JTAN.com, in Conshohocken, Pennsylvania, issued by Magistrate Judge David Strawbridge on

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<sup>1</sup> The Exhibits listed here will be filed under seal, and therefore, they are not included in the publicly filed version.

September 9, 2013, attached hereto as Exhibit 1;

- (b) Search warrant application, dated September 9, 2013, and warrant for a server maintained by JTAN.com, in Sellersville, Pennsylvania, issued by Magistrate Judge David R. Strawbridge on September 9, 2013, attached hereto as Exhibit 2;
- (c) Application, dated September 16, 2013, and Order for the installation of trap and trace and pen register devices to identify source and destination IP addresses communicating with Comcast account, issued by Magistrate Judge Henry Pitman on September 16, 2013, attached hereto as Exhibit 3;
- (d) Application, dated September 17, 2013, and Order for the installation of trap and trace and pen register devices to identify source and destination IP addresses communicating with Comcast account, issued by Magistrate Judge Henry Pitman on September 17, 2013, attached hereto as Exhibit 4;
- (e) Application, dated September 19, 2013, and Order for the installation of trap and trace and pen register devices to identify source and destination IP addresses communicating with wireless router in San Francisco, California, issued by Magistrate Judge Henry Pitman on September 19, 2013, attached hereto as Exhibit 5;
- (f) Search warrant application, dated September 19, 2013, and warrant for a server maintained at premises controlled by Voxility, LLC, in San Francisco, California, issued by Magistrate Judge Henry Pitman on September 19, 2013, attached hereto as Exhibit 6;

- (g) Application, dated September 20, 2013, and Order for the installation of trap and trace and pen register devices to identify source and destination IP addresses communicating with four MAC addresses, issued by Magistrate Judge Henry Pitman on September 20, 2013, attached hereto as Exhibit 7;
- (h) Application, dated September 20, 2013, and Order for the installation of trap and trace and pen register devices to identify source and destination IP addresses communicating with wireless router in San Francisco, California, issued by Magistrate Judge Debra Freeman on September 20, 2013, attached hereto as Exhibit 8;
- (i) Search warrant application, dated October 1, 2013, and warrant for a storage facility in Conshohocken, Pennsylvania, issued by Magistrate Judge Elizabeth T. Hay on October 1, 2013, attached hereto as Exhibit 9;
- (j) Search warrant application, dated October 1, 2013, and warrant for a server maintained at premises controlled by Voxility, LLC, in San Francisco, California, issued by Magistrate Judge James L. Cott on October 1, 2013, attached hereto as Exhibit 10;
- (k) Search warrant application, dated October 1, 2013, and warrant for a Samsung laptop and auxiliary devices, allegedly known to be used by Ross William Ulbricht, issued by Magistrate Judge Nathanael Cousins on October 1, 2013, attached hereto as Exhibit 11;
- (l) Search warrant application, dated October 1, 2013, and warrant for Ross Ulbricht's residence in California, issued by Magistrate Judge Nathanael

Cousins on October 1, 2013, attached hereto as Exhibit 12;

- (m) Search warrant application, dated October 8, 2013, and warrant for all information associated with Facebook account for username “rossulbricht,” issued by Magistrate Judge Gabriel W. Gorenstein on October 8, 2013, attached hereto as Exhibit 13; and,
- (n) Search warrant application, dated October 8, 2013, and warrant for all content associated with the e-mail account “rossulbricht@gmail.com,” issued by Magistrate Judge Gabriel W. Gorenstein on October 8, 2013, attached hereto as Exhibit 14.

WHEREFORE, it is respectfully requested that the Court grant Mr. Ulbricht’s Motions in their entirety.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. 28 U.S.C. §1746. Executed July 31, 2014.

/S/ Joshua L. Dratel  
JOSHUA L. DRATEL